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IN THE

Supreme Court of the United States

OCTOBER TERM, 1963

No. 499

MARITIME FOOD CORPORATION,
Petitioner

against

TURNER & BLANCHARD, INC.,

and

SS EMILIA and A. H. BULL STEAMSHIP CO.,
Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1963

No. 463

LYDON WEBBER, *et al.*, *Petitioners;*

against

TURNER & BLANCHARD, INC.,

and

SS EMILIA and A. H. BULL STEAMSHIP CO.
Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

To the Honorable, the Chief Justice and Associate Justices of the Supreme Court of the United States:

Petitioner, Maritime Food Corporation, is one of the intervening libelants in the District Court proceedings and an appellant on the appeal below. Its libel seeks the enforcement of its maritime lien in the sum of $29,058.38 against the vessel Emilia and her proceeds in the hands of the Court, for necessary supplies furnished to the

vessel, all pursuant to Title 46, United States Code Annotated, §§971, et seq.

Maritime Food Corporation is a party aggrieved by the order of the District Court and the decision and mandate of the Court of Appeals for the Second Circuit affirming said order, since the order entirely wipes out the fund for the exclusive benefit of one category of claimants, the cargo owners, to the exclusion of all other categories of lienors against the fund from any participation in the fund. It is submitted this is a novel result at utter odds with well settled admiralty law and the statutory scheme of relative priorities among lienor claimants sanctioned by Congressional adoption.

Accordingly, petitioner, Maritime Food Corporation, prays to join in the petition for a writ of certiorari of Lydon Webber, et al., and urges the granting of such writ for all of the reasons set forth in the brief of Lydon Webber, et al.

Respectfully submitted,

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Dated: September 18, 1963